UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

KELLIE CANIDA,)	
)	
Plaintiff,)	
V.)	No. 1:08-cv-77
)	Edgar / Lee
MICHAEL J. ASTRUE,)	-
Commissioner of Social Security,)	
·)	
Defendant.)	

MEMORANDUM AND ORDER

Plaintiff Kellie Canida brings this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of the final administrative decision of the Commissioner of Social Security denying her a period of disability, disability insurance benefits ("DIB") and supplemental security income ("SSI") under Title II and Title XVI of the Social Security Act, 42 U.S.C. § § 416(i), 423, and 1382. This case was referred to United States Magistrate Judge Susan K. Lee pursuant to 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b) for a report and recommendation. Magistrate Judge Lee filed her report and recommendation on July 8, 2009. [Court Doc. No. 20].

The parties have not filed any timely objections. After reviewing the record, the Court **ACCEPTS and ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b).

Accordingly, Plaintiff's motion for judgment on the pleadings is **DENIED**. [Court Doc. No. 12]. Defendant's motion for summary judgment is **GRANTED**. [Court Doc. No. 18].

Judgment is entered **AFFIRMING** the Commissioner's decision. This action is hereby **DISMISSED WITH PREJUDICE** with each party to bear their own costs of this action.

The Clerk of Court is **DIRECTED** to enter a final judgment in accordance with this memorandum and order. The Clerk of Court shall close the record in this case.

SO ORDERED.

ENTER this the 30th day of July, 2009.

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE